

REMARKS

Claims 3 and 4 have been cancelled without prejudice.

Claim Rejections 35 USC § 103

Applicant acknowledges the Examiner's indication that claims 13 and 19 would be allowable if rewritten in independent form. However, Applicant respectfully maintains that "ChaiTime" in combination with Schuster does not disclose the features of the present independent claims.

Claim 1 specifically recites that the steps of "storing computer software code in a SIP message" and "executing the computer software code using the second node". Software is generally accepted to mean a piece of code which controls the functioning of hardware. Therefore Applicant submits that Claim 1 would be understood to claim a SIP message including programming which can control hardware function at the endpoint and the execution of this programming to cause hardware to function in a desired manner.

As discussed in detail with reference to this application SIP is an application-layer signaling protocol. It is described in IETF RFC 2543 which defines the protocol as being a "protocol for creating, modifying and terminating sessions with one or more participants" (see abstract). Additionally, the definition of a SIP client given within the RFC is "similar to those used by the Hypertext Transport Protocol (HTTP) RFC 2068". In RFC 2068 a client is defined as "a program that establishes connections for the purpose of sending Requests".

The Examiner states that ChaiTime discloses the step of storing computer software code in a SIP message. Applicant respectfully disagrees. ChaiTime discloses that when a particular service is required during a call "a specific MIME type, say "media/whiteboard", is used for the request" (P25 column 2). If a terminal component associated with the requested type is present on the receiving side then the call can be accepted "otherwise an attempt will be made to obtain a resource that

can be associated with that MIME type, using dynamic service download" (P25 column 2).

Thus, it can be seen that ChaiTime discloses inserting a MIME type into a SIP message. As a MIME type is not programming that can control hardware function at the receiving endpoint, but merely a descriptor of a type of programming that is required, Applicant submits that ChaiTime does not disclose "storing computer software code in a SIP message" as recited in Claim 1.

The Examiner further states that ChaiTime discloses "sending the SIP message and computer software code from the first SIP client associated with the first node to the second SIP client associated with the second node". Although ChaiTime does disclose transmitting the SIP message from the first SIP client to the second SIP client Applicant notes that the computer software code that is described in the SIP message is obtained using Dynamic Service Download where the first node "suggests a location on the internet where the software can be obtained" the second node then "downloads the software negotiating one-time use payment with the software provider if the software is not public-domain" (Page 22 Column 2).

Applicant therefore submits that one skilled in the art on reading ChaiTime would learn to download computer software from a software provider using known techniques and not to transmit it from the first node to the second node.

Finally, the Examiner asserts that Schuster teaches a method for storing code in a SIP message. Applicant respectfully disagrees.

Schuster states that "program instructions corresponding to the SIP client are stored in program memory and executed on a microprocessor or DSP on the HSLIC card (Column 8 lines 26 to 29)". The SIP signaling then described in Schuster is conventional SIP signaling, for example using an INVITE message, ACK message and BYE message. A separate protocol (RTP) is used for data transmission.

Applicant submits that Schuster merely describes including a program that establishes connections for the purpose of sending Requests on an HSLIC and using this program to send traditional SIP messages. Nowhere does Schuster disclose or suggest including any programming code within a SIP message.

As discussed previously with relation to this application SIP messages are designed to carry information regarding a communication session that is to be set up, for example whether it contains voice only or video, which codecs to use and so on. Both the SIP messages described in ChaiTime and Schuster implement these type of messages with the messages in ChaiTime being extended to describe the type of programs required to take part in a communication session.

The present invention by storing computer software code in a SIP message, which may be used to invite a user's endpoint to the conference, enables the user to execute the code at his or her endpoint to automatically join a conference without having to locate a software provider to download the code from.

In view of this, Applicant submits that Claim 1 is not rendered obvious by ChaiTime in combination with Schuster.

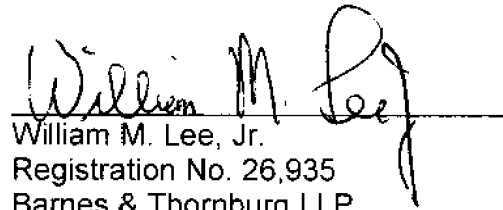
Applicant further submits that Claims 20 and 26 to 30 are not rendered obvious in view of ChaiTime in combination with Schuster for at least the reasons given above.

Claims 2 to 19, 21 to 25 and 34 are submitted to not be rendered obvious at least by virtue of their dependencies.

In view of the above, further and favorable reconsideration is urged.

August 27, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line.

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